

Land at Lower Horsebridge Hailsham

Planning Statement

On behalf of Abtec Ltd

Residential development comprising ten dwellings and associated works

HPPC Ref: 30798

Date: October 2017



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1 INTRODUCTION

- 1.1 This planning statement is to support the planning application for the erection of ten dwellings on land adjacent to the A271 to the south side of the village of Lower Horsebridge, Hailsham, East Sussex.
- 1.2 In this statement we outline and discuss the relevant planning consideration, including a site description, details of the development, the planning history of the application site, the relevant planning policy context, the key planning issues and from this draw our conclusions in support of the proposal.

2 SITE AND LOCATION

- 2.1 The site is located to the south of the King's Head Public House on the south side of the village of Lower Horsebridge. To the immediate south the site adjoins the access road to an electricity sub-station which is located near its south western corner and beyond this is agricultural land to the south. A building plot for a dwelling in the grounds of the public house to the north and the village recreational ground to the east also bound the site. The site fronts the A271 to the east and on the opposite side of this road is sited the Horsebridge Veterinary Practice together with a number of residential dwellings. Approximately five hundred metres further to the south is the built edge of the town of Hailsham across the Cuckmere River. The town is accessible on foot along an existing pavement.
- 2.2 The site itself extends to approximately 1.16 hectares, it is currently undeveloped and has been unused for a considerable period. A public sewer which currently crosses the site is to be realigned to accommodate the development. The site itself is a relatively flat piece of land, raised above the road level of the A271 from which it is separated by a mature hedge and footway. The south, north and western boundaries of the site are also set with mature hedges of varying quality and within the site is mainly scrubland and brambles. The majority of the site is in Flood Zone 1 although an element of the site frontage to the A271 is in Flood Zone 2/3.
- 2.3 Lower Horsebridge is a well served village, containing two public houses, as well as a Post Office and Veterinary Practice. The Hellingly Sports Clubs operates from the village recreation ground, hosting rugby, cricket and bowls clubs. To the west of the village are roadside services, petrol filling station, coffee shop and hotel adjacent to the A267 Hailsham Bypass. While for access to more wide ranging facilities the village is located in easy reach of the services provided within the town of Hailsham. The village is well served by public transport with regular bus services along the A271 and B2104 through the village.

3 PLANNING HISTORY

- 3.1 Prior to the submission of an application for ten dwellings in November 2016, there was no relevant planning history for the site itself, it having been unused for number of years. It remains an undeveloped greenfield site on the edge of the village of Lower Horsebridge.
- 3.2 The application submitted to Wealden District Council in November 2016, LA ref: WD/2016/2813/MAJ sought detailed planning permission for a scheme of ten dwellings on the site. The scheme was subsequently withdrawn due to the council's ability to support additional development in the local area due to restrictions on capacity within the local sewerage system without adverse impacts on protected wildlife habitats further downstream. It is understood that this matter has now been resolved and that there is capacity in the North Hailsham Waste Water Treatment Works (NHWWTW) to service the site. A number of other issues were raised as part of the consultation for this application, namely, road noise, the need to provide a safety audit for the access, the impact of the development on trees around the site and an archaeological assessment for the site have been addressed within this second application.
- 3.3 Planning permission for a two-storey five-bedroom dwelling in the beer garden of the adjoining King's Head Public House was approved earlier in 2016 under the reference WD/2016/0094/F.

Pre-Application Enquiry

- 3.4 Prior to the submission of the initial application WD/2016/2813/MAJ, a pre-application enquiry was made to the district council and a meeting held with a planning officer in April 2016. The response to this approach was positive, both in light of the progress of the local plan and in view of the housing land supply situation the council is facing. The council was encouraging of development sites that would assist them in meeting their targets for the provision of housing across the district. The site was identified as not being isolated, close to the centre of a village with some services and facilities and with good links to nearby settlements; Hailsham, Polegate and Eastbourne. Advice was given in respect of the design approach, highway matters, drainage, flood risk and ecological matters, and it was suggested that should these be appropriately dealt with the proposal would be considered favourably and that "in general planning terms the principle of new development would be acceptable to the extent that a planning application could be viewed favourably."

4 PROPOSAL

- 4.1 The application seeks planning approval for a scheme of ten dwellings, contained within 0.38 hectares of land. The houses are to be constructed from a mix of red multi stock brick, hanging tile, weatherboard under plain tile roofs. They are arranged around a cul de sac with a single point of access from the A271.
- 4.2 The development will consist of six semi-detached houses, a terrace of three houses and one detached house. All the houses have 3 bedrooms but there are four specific house types used, with gross internal areas (GIA) as scheduled below.

Plots 1 and 10	99.1 m ²
Plots 2, 4 and 5	98.8 m ²
Plots 6, 7, 8 and 9	92.6 m ²
Plot 3	100 m ²
Total (GIA)	965 m ² (plus 202 m ² car ports)

Each house will be provided with two parking spaces, except plots 3 and 7 which are provided with three spaces apiece, whilst a further five visitor parking spaces will be incorporated into the site layout. In total 27 parking spaces are provided within the development, including ten contained within carports. Each house has a garden / amenity space within which it is proposed to provide a secure bicycle store.

- 4.3 The remaining 0.77 hectares of land is proposed to be transferred to the Parish Council as recreational open space to supplement the facilities provided by the existing village recreational ground immediately to the west. Pre-application discussions have taken place with Hellingly Parish Council which has indicated that an extension to the recreational ground is required and that they would wish to take on the management of the part of the site offered for this purpose. A unilateral undertaking accompanies this planning application, that binds the applicant to this transfer of land to the Parish Council should the application be granted planning permission.

5 PLANNING POLICY

5.1 The up-to date approved development plan for Wealden District Council comprises the following documents:

- The Wealden District Council (Incorporating part of the South Downs National Park) Core Strategy Local Plan (adopted 19th February 2013)
- The Wealden Local Plan (adopted December 1998 (Saved Polices)
- The Affordable Housing Delivery Local Plan adopted May 2016
- The East Sussex and Brighton and Hove Waste Local Plan (adopted February 2006) (Saved polices)
- East Sussex, South Downs and Brighton and Hove Waste and Minerals Local Plan (adopted February 2013)

5.2 On 28 March 2013 an application was made to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 challenging the validity of the Core Strategy on the grounds that it failed to comply with the requirements of Directive 2001/43/EC on the Assessment and Effect of Certain Plans and Programmes on the Environment and the implementing Environmental Assessment of Plans and Programmes Regulations 2004. This was dismissed by Order dated 21 February 2014. However, an appeal on 3 grounds was made to the Court of Appeal. On 7 October 2014, the Court of Appeal dismissed Grounds 1 and 2 relating to the housing numbers in the Core Strategy (original ruling was upheld). Ground 3 related to whether the Council had considered reasonable alternatives to the use of a 7 km zone in relation to the provision of SANGS. On 9 July 2015 in response to a Court of Appeal decision, the Council has made changes to its Core Strategy Policy WCS 12 relating to Ashdown Forest.

5.3 Prior to the Court of Appeal Judgement Policy WCS12 provided that any net increase in residential development between 400m and 7km would be required to mitigate its recreational impact through the provision of Suitable Alternative Natural Green Space (SANGS) and on-site visitor management measures. The reference to the 7km zone of influence and the specific mitigation identified in this Policy has now been removed. However all planning applications will continue to be subject to the Habitat Regulations which protect the Ashdown Forest Special Protection Area (SPA).

5.4 The rest of the Core Strategy is unaffected therefore remains intact as part of the adopted development plan for the purposes of this application.

- 5.5 Certain Policies of the Wealden Local Plan (1998) have been 'saved' via Direction of the Secretary of State dated 25 September 2007, under the provisions of Paragraph 1(3), Schedule 8 of the Planning & Compulsory Purchase Act 2004. Annex 2 of the National Planning Policy Framework confirms that these 'saved' Policies still form part of the development plan.
- 5.6 Under 'saved' Policies EN1 (sustainable development) and EN27 (layout and design) of the Wealden Local Plan 1998, the Council has also formally adopted the Wealden Design Guide, November 2008, as a Supplementary Planning Document. Some 'saved' Policies and the design guide continue to have material weight where they are in compliance with the NPPF and CSLP (having regard to paragraph 211 of the NPPF).

National Planning Policy Guidance

- 5.7 The National Planning Policy Framework (the Framework) was published in March 2012. At the heart of the Framework is a 'presumption in favour of sustainable development' and promotes 'approving development proposals that accord with the development plan without delay' (paragraph 14).
- 5.8 Paragraph 14 addresses both decision making and decision taking; from allocating sites to granting planning permission for a scheme and requires consideration of three strands of sustainable development (economic, social and environmental).
- 5.9 Where relevant policies are out of date, the Framework is clear that planning permission should be granted unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework when taken as a whole or specific policies in this Framework indicate development should be restricted'.
- 5.10 Paragraph 47 requires local planning authorities ensure their Local Plan 'meets the full objectively assessed needs for market and affordable housing'. It also requires that local planning authorities identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements'. Additional buffers of 5% are built in to promote choice competition and a 20% buffer where there is a persistent record of under delivery. Where this cannot be demonstrated paragraph 49 requires planning applications to be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot

demonstrate a five-year supply of deliverable housing sites.

- 5.11 The Framework supports provision for a mix of housing types and tenures to create ‘sustainable, inclusive and mixed communities’ (paragraph 50). High quality design in new development (paragraph 56) is promoted, whilst particular architectural styles or tastes should not be imposed, as such matters stifle innovation (paragraph 60).
- 5.12 Importantly, it recognises that development should connect people and places and integrate into the existing natural, built and historic environment (paragraph 61). Within this, there is support for improved links with sports and recreational facilities and public rights of way and access. The application site links directly to the public footpath network and the nearby existing sports and recreational facilities.
- 5.13 Landscape and biodiversity must also be considered and the impact or benefits to these matters given due consideration (paragraph 111 onwards). The sites boundaries benefit from generous established landscaping and these will be retained as part of the development.
- 5.14 The Framework also seeks to address the loss of ‘best and most versatile’ agricultural land, seeking to steer new development to agricultural land of poorer quality such as this site. Other factors to consider relating to sustainability of location and relationship of development to a settlement must be given due weight. The application site has not been used for many years and has not been in active agricultural production. This would have affected its land quality.
- 5.15 The Framework acknowledges the importance of heritage assets, including archaeological remains. There are no listed buildings within or adjoining the site, neither is the site within a designated Conservation Area.

Technical Standards for Housing

- 5.16 In March 2015, the Government published the Technical Housing Standards – a new national space standard which seeks to address continuity in internal room sizes nationally. The proposed scheme would meet these requirements.

LOCAL PLAN

Wealden Core Strategy Local Plan 2013

- 5.17 The proposal should be considered against Spatial Planning Objectives SPO1 and SPO13.

The policies are set out below, however the council's acceptance of its lack of a five year supply of housing land means that paragraph 49 of the NPPF applies to the consideration of this application.

SPO1

We will help manage countryside resources and assist in the development of the rural economy whilst protecting and enhancing recognised biodiversity and geodiversity attributes, in particular we will protect the internationally important sites of the Pevensy Levels and Ashdown Forest and other designated areas of bio and geodiversity. We will also protect, and will work with others to enhance and manage, the distinct landscapes of the District, particularly, but not exclusively, those nationally designated

SPO13

We will encourage the development of high quality, safe and attractive living environments for communities in both towns and villages, while promoting local distinctiveness through good design in all new development. We want future built development to create spaces and places which are sustainable, distinctive and durable- places where people will want to live. These will be expected to make a real contribution to addressing climate change issues and addressing the needs of our ageing population.

- 5.18 The policies relating to housing supply figures within this document have been updated in the emerging Wealden Local Plan March 2017, The amount of development set out in the core strategy has been significantly increased in the emerging Local Plan from 9414 dwellings over the plan period from 2006 – 2027 to 14,102 dwellings from 2013-2028. The relevant policies relating to allocation in the core strategy are policies WCS1, WCS2 and WCS5 relating to housing supply figures and the release of land. While in respect of Lower Horsebridge Policy WCS6 removed the development boundary area for the settlement. In the core strategy Lower Horsebridge was categorised as a Neighbourhood Centre in the Core Strategy Settlement Hierarchy; *“a settlement with limited, basic or no facilities but with access to another centre, or settlement with facilities but poor accessibility or access only to a service or local centre.”*

WCS1

Provision of Homes and Jobs 2006-2027 Land will be identified in subsequent Development Plan Documents for the provision of some 4525 net additional dwellings in Wealden District to provide for 9440 dwellings over the period 2006-2027. Provision will be made for some net additional 40,000 sq. metres net employment floorspace (B1/B2/B8) to provide for

128,695 sq. metres net employment floorspace and 17,000 sq. metres net additional retail floorspace over the period 2006-2027. The strategy shall be reviewed in 2015 or when a preferred solution to the capacity issues associated with Hailsham North and Hailsham South Wastewater Treatment Works has been identified, whichever is the earlier, in order to ensure that there is an adequate supply of development land in the longer term. The review shall include an assessment of current and future levels of need and demand for housing to provide an appropriate basis for longer term housing provision.

WCS2

Distribution of Housing Growth 2006-2027 Land will be allocated to meet the housing provision of WCS1 in accordance with the following distribution:

<i>Town/settlement</i>	<i>Built or already committed (dwellings)</i>	<i>New allocations (dwellings)</i>	<i>Total dwellings (2006- 2027)</i>
<i>Uckfield</i>	<i>742</i>	<i>1000</i>	<i>1742</i>
<i>Hailsham and Hellingly</i>	<i>1645</i>	<i>1300</i>	<i>2945</i>
<i>Polegate and Willingdon</i>	<i>565</i>	<i>700</i>	<i>1265</i>
<i>Stone Cross and Westham</i>	<i>42</i>	<i>650</i>	<i>692</i>
<i>Crowborough</i>	<i>632</i>	<i>300</i>	<i>932</i>
<i>Heathfield and Waldron</i>	<i>292</i>	<i>TBC</i>	<i>292</i>
<i>Adjacent to Tunbridge Wells</i>	<i>53</i>	<i>120</i>	<i>173</i>
<i>Rural villages</i>	<i>918</i>	<i>455</i>	<i>1373</i>
<i>Total Wealden</i>	<i>4889</i>	<i>4525</i>	<i>9414</i>

Broad locations for housing development in Policy WCS2 are shown as insets on the Key Diagram. Individual sites to meet these housing provisions will be allocated in the Site Allocation DPDs.

WCS5

Managing the Release of Housing Land The release of land for housing will be managed so that it will deliver the level and broad distribution of development set out in Policy WCS2. The release of land will be dependant on the timely provision of infrastructure necessary to deliver housing, including affordable housing. The adequacy of housing land supply will be assessed regularly through reviews of the Strategic Housing Land Availability Assessment, the Infrastructure Delivery Plan and through regular housing land availability monitoring.

Monitoring will allow effective cohesion between housing delivery and the provision of infrastructure.

WCS6

Rural Areas Strategy The rural areas comprise the following categories of settlement:

Service Centre

Local Service Centre

Neighbourhood Centre

Unclassified settlements

Within Service Centres, Local Centres and Neighbourhood Centres (excluding Stone Cross, Polegate and Willingdon and Heathfield) provision will be made for at least 455 new dwellings.

The Delivery and Site Allocations DPD will allocate sites for development sufficient to ensure that the requirements above can be met. Development boundaries will not be retained for settlements classified as a neighbourhood centre or unclassified settlement. Development boundaries will be retained or provided at:

Forest Row, Hartfield, Groombridge, Wadhurst, Mayfield, Frant, Buxted, Herstmonceux, Ninfield, Pevensey Bay, Horam, Alfriston, Westham and Rotherfield. Development boundaries as shown in the adopted Wealden Local Plan are removed from: Berwick Station, Blackboys, Broad Oak, Cross-in-Hand, East Dean and Friston, East Hoathly, Fairwarp, Five Ash Down, Five Ashes, Framfield, Hadlow Down, Halland, Hooe Common, Isfield, Lower Dicker, Lower Horsebridge, Maresfield, Mark Cross, Maynards Green, Nutley, Pevensey, Punnetts Town, Upper Dicker, Vines Cross and Windmill Hill.

Retained or new development boundaries will be reviewed as part of the Strategic Sites and Delivery and Site Allocations DPDs as appropriate.

Wealden Local Plan Draft Proposed Submission Version March 2017

- 5.19 Work commenced on the Wealden Local Plan in 2015, as required by Policy WCS1 contained within the adopted Wealden Core Strategy (February 2013). On the 20th of January 2015 a decision was made to publish the Wealden Local Plan Issues, Options and Recommendations for consultation under Regulation 17 of the The Town and Country Planning (Local Planning) (England) Regulations 2012 (as Amended). The consultation took place between the 19th of October 2015 and the 14th of December 2015. The

responses to the consultation and subsequent discussions with Town and Parish Councils, Duty to Cooperate bodies, and other Infrastructure providers have been taken into account in the production of the Proposed Submission Wealden Local Plan. The council published the Draft Proposed Submission version of the Wealden Local Plan in March 2017. At this stage the plan can only be given very limited weight in decision making, particularly in comparison to that that should be afforded to the adopted Core Strategy Local Plan. However the direction contained within the policies within it show the need for the district to provide significantly more development, particularly housing numbers than previously identified.

- 5.20 When adopted, the Wealden Local Plan will supersede the policies contained within adopted Wealden District Affordable Housing Delivery Local Plan 2016, Wealden District Core Strategy Local Plan February 2013 for the part of the District outside of the South Downs National Park, and the adopted Wealden Local Plan 1998.
- 5.21 Within the plan Spatial Objective 1 – Housing states that the plan is seeking to meet the housing needs of the District by delivering in total 14,102 homes from 2013 to 2028 comprising of 6148 dwellings on allocations and 561 dwellings on other land. The majority of the housing delivery will be focused around the built up areas of South Wealden including Hailsham, Polegate and Willingdon, Stone Cross, and Hellingly known as the South Wealden Growth Area. Growth will also be delivered within the High Weald Area of Outstanding Natural Beauty including the town of Heathfield and the sustainable village of Wadhurst. Larger sustainable villages outside of the High Weald Area of Outstanding Natural Beauty will also contribute to housing growth with allocations and growth to be delivered in Horam, East Hoathly and Ninfield. Housing development may also be delivered, to a significant lesser extent, in the rural and less sustainable villages. Policy WLP1 confirms the allocation of 14,102 dwellings in the plan period.
- 5.22 Lower Horsebridge is within the Parish of Hellingly, which in accordance with policy WLP5 is included with Hailsham due to the urban extensions proposed to the north west of the town. Lower Horsebridge sits outside of the development boundary for these sites. However, Hellingly is identified in policy WLP6 to provide a further 30 dwellings from non-allocated sites.
- 5.23 The Wealden Local Plan Table 1 identifies Lower Horsebridge as a Local Settlement, as such it is categorised as an unsustainable settlement and described as settlement with no accessibility but with some facilities. The plan identifies two allocations in Lower

Hrosebridge, SWGA37 for a total of 161 dwellings. While SWGA38 identifies the strategic infrastructure required to support the two identified sites. The plan identifies the closeness of the settlement to the north of Hailsham and Hellingly and the benefits this brings in terms of links to Hailsham.

Saved Wealden Local Plan 1998 Policies

- 5.24 The proposal should be considered against saved policies from the Wealden Local Plan 1998. Including GD2 (Development outside development boundaries),

Outside the development boundaries, as defined on the Proposals Map, development will be resisted unless it is in accordance with specific policies in this Plan

EN1 (Sustainable development),

The Council will pursue sustainable development, having regard to the principles contained in Government guidance and its own Strategy for the Environment, in considering the location, layout and design of development, renewable energy and waste management proposals and in assessing the effects of proposals on the environment, including on water and air quality.

EN8 (Lower Weald)

Development within the Low Weald will only be permitted if it conserves the low rolling agricultural character of the landscape. In considering any proposal, particular regard will be had to:-

- (1) areas of unspoilt and remote countryside;*
- (2) the setting of settlements;*
- (3) areas on the fringe of adjacent statutorily designated landscapes;*
- (4) the retention of woods, boundary trees and hedges;*
- (5) attractive vernacular buildings and groups of buildings.*

EN27 (Layout and design)

Proposals for development will be permitted when the following layout and design criteria are met:-

- (1) the scale, form, site coverage, density and design of the development and the use of materials and landscaping should respect the character of adjoining development and, where appropriate, promote local distinctiveness. The design, materials and landscaping should be of an appropriate high standard;*

- (2) the proposed development should not create an unacceptable adverse impact on the privacy and amenities of adjoining developments and the neighbourhood by reason of scale, height, form, noise and traffic movements;*
- (3) the proposed development should ensure a satisfactory environment for the future occupants, including adequate provision for daylight, sunlight, privacy, garden space and/or appropriately landscaped amenity areas;*
- (4) the proposed development should not constitute an unacceptable backland or 'tandem' form of development;*
- (5) regard has been paid to crime prevention measures whenever possible and appropriate.*

TR3 (Traffic impact of new development) and TR16 (car parking)

Planning applications for new development will be permitted where the following criteria are met:

- (1) the proposed development does not create or perpetuate unacceptable traffic conditions; Chapter 9 Transport Wealden Local Plan December 1998 89*
- (2) a satisfactory means of access (vehicular, cycle and pedestrian) is provided to meet Local Planning and Highway Authority standards;*
- (3) where appropriate, the provision of suitable public transport facilities.*

Supplementary Planning Documents

Wealden Design Guide

- 5.25 The Weald Design Guides is an adopted SPD which seeks to encourage a higher standard of design for development within the District. Wealden District is predominantly a rural district, encompassing a number of well defined areas whose character is drawn from the local landscape and building materials which derive from that landscape. These elements contribute significantly to the local distinctiveness and it is the aim of this document to ensure that new development (in particular the larger schemes) does not dilute this distinctiveness. This Guide is not only intended to provide prospective developers (and any organisation and individual with an interest in the built environment) with a clear idea of what it is about Wealden which makes it special but also to suggest ways in which new development can be implemented in a manner which maintains the District's essential character and, where practicable, enhances it. In this respect chapter 2 of the design guide deals with character zones and local distinctiveness and chapter 7 provides guidance in respect of new residential development. The development proposed by this application is considered to adhere with this guidance for the reason set out in the accompanying Design and Access Statement.

6.0 Key Issues

6.1 The key issues in the consideration of this application are;

- Need for the development;
- Appropriateness of Location;
- Character and Appearance;
- Landscape impact;
- Ecology
- Traffic and Access;
- Drainage and Flood Risk
- Waste Management Plan and
- Other Matters.

6.2 By their own admission Wealden District Council cannot currently demonstrate a 5 year supply of housing land. The council's own current assessment of the situation as reported to the Planning Committee South in June 2017 is as set out below.

Housing Land Supply

The NPPF requires the Council to meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the wider Policies of the Framework. Paragraph 49 states applications for housing should be considered in the context of the presumption in favour of sustainable development and that relevant Policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. The five-year supply of sites additionally requires a 5% buffer to ensure choice and competition in the market for land, and where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%. Although a substantial material consideration, the Framework does not change the statutory status of the development plan and planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Council published the Issues, Options and Recommendations Consultation Wealden Local Plan in October 2015, as the first stage in the process to the new Wealden Local Plan. Within the Issues, Options and Recommendations document the Council has produced a housing target significantly in excess of that within the adopted CSLP, based on a calculation of the Full Objectively Assessed Needs (FOAN) of the District (but excluding Duty to Co-operate) of 735 dwellings per annum, and with an allowance to help meet with

shortfall in neighbouring districts/boroughs under the requirement of duty to co-operate giving rise to the need for 832 dwellings per annum. These figures are significantly in excess of the housing targets of 450 dwellings per annum contained in the Council's adopted Core Strategy which did not identify the FOAN for its area.

Using the Council's FOAN, albeit that this is only at consultation stage, means that the Council cannot substantiate a 5 year supply of housing land. Using a September 2016 base date (the most up to date information available), the Council can demonstrate a housing land supply of 4.18 years against the 5% buffer.

Where matters of housing delivery are concerned Paragraph 47 of the NPPF sets out the Government's desire to boost significantly the supply of housing and the requirement that the Council meets the full, objectively assessed needs for market and affordable housing in the housing market area. Paragraph 49 then states that housing applications should be considered in the context of the presumption of sustainable development and that relevant Policies should be considered to be out of date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Paragraph 55 encourages sustainable development in rural areas where it will enhance or maintain the vitality of rural communities including supporting village services.

Policies GD2 and DC17 are Saved Policies, however these Policies are predicated on a development boundary that although technically part of the current adopted development plan was designated over seventeen years ago to cater for the housing needs at that time. The period for which the Local Plan sought to meet the District's housing needs ended in 2004. Furthermore the adopted CS accepts that development boundaries contained within the Local Plan may have to be breached to deliver the level of housing allocations it required.

In the absence of a five year supply of deliverable housing land it is highly likely that housing beyond the settlement boundaries will be required. In this scenario the effect of Saved Policies GD2 and DC17 would now be to restrict the supply of housing and thus prevent housing needs being met. The issue of housing delivery is considered to outweigh the Policy conflict with development plan Policies GD2 and DC17 and so they cannot be relied upon as a significant barrier to the proposal.

- 6.3 With regard to housing delivery, the NPPF requires the Council to meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is

consistent with the wider Policies set out in the Framework. Paragraph 49 states that applications for housing should be considered in the context of the presumption in favour of sustainable development. Relevant Policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. The five-year supply of sites additionally requires a 5% buffer to ensure choice and competition in the market for land and where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%. Although it is a weighty material consideration, the Framework does not change the statutory status of the development plan or the duty under section 38(6) of the Act that planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise.

- 6.4 Paragraph 14 of the Framework confirms that, where the relevant Policies of the development plan are out of date, permission should be granted unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the Policies of the Framework, taken as a whole or specific Policies in the Framework indicate development should be restricted.
- 6.5 It is necessary therefore to consider whether the impacts arising from granting planning permission are adverse and whether they would significantly and demonstrably outweigh the benefits of a permission in addressing the housing shortfall.
- 6.6 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan for this area includes the Wealden Local Plan (the Local Plan) and the Wealden District (Incorporating part of the South Downs National Park) Core Strategy Local Plan (the Core Strategy). These Plans were adopted in December 1998 and February 2013 respectively. The period for which the Local Plan sought to meet the District's development needs ended in 2004, whereas the plan period for the Core Strategy runs to 2027. As already stated above certain Policies of the Local Plan have been saved.
- 6.7 The Core Strategy was to be followed by two Development Plan Documents. The Strategic Sites Local Plan (SSLP) was to set out in detail how the Strategic Development Areas (SDAs) identified in the Core Strategy should be developed, while the Delivery and Site Allocations Local Plan (DSALP) was to deal with the allocation of smaller housing sites in villages and large scale retail allocations as well as to provide development management Policies. The intention was that the DSALP would supersede the remaining Local Plan Policies. The SSLP was withdrawn in May 2015. The Council is combining the work

undertaken for the DSALP with the Core Strategy Review required to be undertaken by Policy WCS1 of the Core Strategy and taking this forward as a single plan to be known as the Wealden Local Plan (WLP). The current Local Development Scheme has the WLP scheduled to be examined during the course of 2018 with adoption towards the end of 2018.

- 6.8 In respect of prematurity to completion of the Core Strategy Review and the publication of the proposed Wealden Local Plan the council has clearly identified their position to consider sites at this time ahead of the emerging plan. The extract from the Planning Committee South report from June 2017 set out above confirms this approach.
- 6.9 The NPPF gives weight to relevant Policies in emerging plans under Paragraph 216 according to the stage of preparation, the extent to which there are unresolved objections to relevant Policies and the degree of consistency with Policies in the NPPF. However, the National Planning Policy Guidance (NPPG) clearly sets out the circumstances where it might be justifiable to refuse planning permission on the grounds of prematurity; “Annex 1 of the National Planning Policy Framework explains how weight may be given to Policies in emerging plans. However in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the Policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both: a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making.
- 6.10 Wealden Council therefore clearly recognise that sites such as that proposed by this application should be considered now in the context of the presumption in favour of

sustainable development as defined by NPPF paragraph 14. Furthermore that in accordance with NPPF paragraph 47 the LPA should significantly boost the supply of housing fully meeting objectively assessed housing need. In the instance of when there is no five year supply of land, housing supply policies GD2 and DC17 carry no significant weight.

- 6.11 The development proposals submitted are considered to constitute sustainable development. The overall aim of the NPPF is to ensure sustainable development, which is defined by three distinct dimensions; economic, social and environmental.
- 6.12 The economic role is defined by the contribution to building a strong responsive and competitive economy, supporting growth and innovation and co-ordinating development requirements, including the provision of infrastructure.
- 6.13 The social role seeks to ensure the support for strong, vibrant and healthy communities to meet the needs of present and future generations and by creating a high quality built environment, with accessible local services that reflect the communities need and support its health and social well being.
- 6.14 Finally the environmental role seeks to ensure the contribution to protecting and enhancing our natural, built and historic environment and as part of this helping to improve biodiversity, use natural resources prudently, minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.
- 6.15 In more detail the proposal is considered to accord with the aims and requirements of the NPPF and constitute sustainable development in respect of the following points.
- 6.16 The proposal would meet the economic aim by providing ten well designed family houses, in a district where there is an undersupply of housing. The demand for housing within the district is significant and is not being met. Without further housing being provided the ability for people to live and therefore work in the local area cannot be met, as a result there would be either no further growth and potentially lead to a decline in the local economy. The benefits of the new housing to the support and growth of the local economy by providing badly needed housing cannot be underestimated.
- 6.17 In respect of the social role, the provision of good quality housing is the cornerstone of a strong, vibrant and healthy community. The housing proposed is located in a highly

sustainable location, with immediate access to local services within the village, and with good public transport links to the wider range of services and facilities in the nearby town of Hailsham. Hailsham town centre is easily accessible by bicycle from the application site and the northern parts of Hailsham are directly accessible to pedestrians from the application site using the existing roadside footway. The future residents of the houses will also be able to benefit from the leisure and recreational facilities within Lower Horsebridge, which will be significantly enhanced by the provision of 0.77 ha of additional land from the development site to be included within the village recreation ground and which will allow facilities to be improved and the level of use to increase.

- 6.18 Finally in respect of environmental issues, the site is relatively well contained by existing hedgerows, and its development would not have a significant impact on the character of the immediate local area or the setting of the village. The development of the site would not infringe to reduce any perceived or actual green gap that separates the village of Lower Horsebridge from the suburbs of Hailsham. In addition to this no further precedent is created for further development which might cause this to occur as the water meadows of the Cuckmere River, which are within Flood Zones 2 and 3 satisfactorily restrict further development between the two settlements from occurring. The application site itself is within Flood zone 1 and although it bounds land within Flood Zone 2 along the frontage to the A271, a dry pedestrian access and egress route is provided to the land to the north through the site, thereby ensuring that the risk to residents from a flood event is minimal. Ecological impact is a key issue in the environmental assessment of sustainable development. The ecological survey submitted with the application has identified no specific ecological barriers to its development. The presence of the badger set on the boundary of the site is addressed in the design and layout of the site
- 6.19 The scheme itself proposes ten three-bedroom family houses. Each house benefits from at least two car parking spaces, ten of these parking spaces are provided in car ports, which also include secure storage areas. There are also five visitor parking spaces provided within the site. Bicycle parking can also be readily provided within the curtilage of each property. The site layout includes suitable turning area within it for larger service vehicles, while the access into the site from the A271 is laid out to a satisfactory standard with satisfactory visibility splays. These matters are dealt with in more detail by the Transport Assessment that accompanies the application.

Character and Appearance

- 6.20 The design approach to the development is addressed in more detail within the Design and

Access Statement that accompanies the application. The houses are provided with generous gardens, ranging in length from 7 to 21 metres. The houses benefit from sufficient space for bin and bicycle storage to be provided. Plans are provided with the application that demonstrates the parking strategy for the site, (drawing no. 2774-12) and the refuse strategy (drawing no; 2774-13).

Landscape Impact

- 6.21 The application is supported by a Landscape design statement, which addresses both the impact of the development on the surrounding area and the integrated approach to the landscaping through the carefully considered design approach for the site. A Hard landscaping scheme (drawing no. 3936_DR_005 rev. A) and a Landscape Masterplan (drawing no. 3936_DR_001 rev. A) are also provided in support of the application. Overall this is to ensure that the development incorporates a high standard of soft and hard landscaping to ensure that it a quality development is provided that meets the objectives set out for the Hailsham Character Area identified in the East Sussex County Landscape Character Assessment (2010). This is achieved through the careful use of landscaping and surfacing materials to enhance the layout of the development and the architecture of the houses themselves. These will combine to ensure that the development makes a positive contribution to the character and appearance of the surrounding area, provides a pleasant and attractive environment for residents and enhances the biodiversity of the area.
- 6.22 The implications of the development for the trees on the site and the ecology of the surrounding area are addressed in the Arboricultural Impact Assessment and the Ecological Assessment that are submitted with the application. Tree survey (drawing no. 3936_DR_003 and 3936_DR_004) together with tree protection plan (drawing no. 3936_DR_007) demonstrate the measures that are to be taken to safeguard the existing trees that border the site. In addition to this, the Arboricultural Impact Assessment, also produced by Lloyd Bore and which accompanies the application further identifies the measures that will be taken to protect these trees.

Ecology

- 6.23 The application is accompanied by a detailed ecological assessment that demonstrates that there are no statutory designated sites of nature conservation interest within or adjacent to the site. The nearest of these, the Lower Dicker SSSI, is some 3 km distant to the west and the Pevensey Levels Special Area of Conservation, Ramsar Site and SSSI is some 2.5 km to the south east beyond the intervening urban area of Hailsham. Although within the Impact Risk Zone for the Pevensey Levels SSSI the report demonstrates that these will not

be impacted upon by the development proposed for this site.

- 6.24 The report also identifies that there are no non-statutory designated sites within or immediately adjacent to the application site. The nearest non-statutory designated site is Hellingly Cemetery Local Site (LWS) which is 0.4 km to the east of the site. Due to the distances involve the proposed development is unlikely to have any significant impact on this or any other local non-statutory designation.
- 6.25 The report identifies the habitats present on the site are of low intrinsic ecological interest, and their loss to be of little significance. It also identifies the benefits of the trees and hedgerows on the site that the development will retain and safeguard in accordance with BS 5837 2012, together with the biodiversity enhancements that would result from the proposed landscaping strategy. Whilst no evidence of the presence of bats was identified during the surveys mitigation measures, including the adherence with the protective legislation they enjoy to ensure no harm to these identified protected species is recommended for these as well as for other protected species including hedgehogs and nesting birds. In conclusion subject to the identified mitigation measures there is no overriding ecological constraint to the development of the site.

Traffic and Access

- 6.26 The Transport Assessment produced by Peter Brett Associates submitted in support of the application demonstrates that the site is accessible by sustainable modes of transport It also demonstrates how parking demand will be met within the development through the provision of 22 spaces for the occupiers and a further 5 visitor parking spaces. The scheme meets ESCC policy requirements for both bicycle parking and car parking. In addition traffic associated with the development has been demonstrated to have no perceptible impact on the local highway network and there to be sufficient capacity to serve the development at peak hours.

Drainage and Flood Risk

- 6.27 The Flood Risk Assessment that accompanies the application aims to identify any potential flood risk sources and surface water management issues related to the development site that may warrant further consideration. As the majority of the developable site is within flood zone 1 occupants of the development will be kept safe and avoids the need for an exception test. The report recommends that finished floor levels should be found at a minimum of 18.2 m AOD which is 600 mm higher than the deepest zone 2 flood levels. Further mitigation measures to safeguard on-site drainage are recommended and on this

basis the proposed development is considered to be safe and at low risk from flooding.

Utilities

- 6.28 A Utilities Assessment is submitted with the application. This highlights how electricity, gas, potable water, telecommunications and cable will be supplied to the development. The report confirms that utility providers have not identified any capacity issues that would suggest that these services cannot be satisfactorily provided to the development.

Site Waste Management Plan

- 6.29 The development will be carried out with regard to a Site Waste Management Plan to be operated in conjunction with the appointed contractor for the development. At this stage the contractor is unknown and a more detailed SWMP can be provided prior to the commencement of development. It is envisaged that the SWMP will seek to ensure that appropriate consideration is given to waste management, particularly in terms of waste reduction, the segregation and disposal of waste, its financial impacts and recording and monitoring. It will also look to ensure the environmental benefits are expounded and to ensure the regular review of the processes are in place. The plan will seek to minimise waste at all levels of the design and construction process, to monitor this in order to ensure appropriate reuse of materials and the limiting of landfill. This will be achieved through ensuring the provision on site of an area for the sorting and storage of materials for potential recycling, salvage, reuse and return. All materials will then be identified as being suitable for re-use, recycling or land fill.

Other Matters

- 6.30 At ten units, the application falls below the threshold for affordable housing set out in the Ministerial Statement of November 2014. A Community Infrastructure Levy form has been submitted with the application. Also submitted is a draft S106 Unilateral Undertaking relating to the applicant's desire to provide additional land for the benefit of extending the adjoining recreational ground within the village and the transfer of part of the site to Hellingly Parish Council for this purpose. This will need to have the planning application number added and be dated for completion.

7.0 Conclusion

- 7.1 The application proposes a wholly appropriate form of sustainable development. It will provide 10 much needed houses in a highly sustainable location. The site has excellent access to a range of services, with minimal impact into the surrounding area, it will cause no unacceptable harm to historic assets or to any acknowledged ecological matters. There are considered no grounds to withhold planning permission and it is requested that the application should be approved without unreasonable delay.